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## **FACSIMILE COVER SHEET**

**DATE:** September 26, 2007  
**TO:** Examiner SHEDRICK, Charles Terrell **FAX NO.:** 571-273-8300  
USPTO GPAU 2617  
**FROM:** Chad M. Herring  
Reg. No.: 41,067  
**RE U.S. App. No.:** 10/668,617, filed September 23, 2003  
**Applicant(s):** Alicia Marie Russell  
**Atty Dkt No.:** 1033-SS00402  
**Title:** METHOD AND SYSTEM FOR FORWARDING WIRELESS  
COMMUNICATIONS  
**NO. OF PAGES (including Cover Sheet):** 36

### **MESSAGE:**

Attached please find:

- ☒ Transmittal Form (1 pg)
- ☒ Fee Transmittal [in duplicate] (2 pgs)
- ☒ Brief in Support of Appeal (32 pgs)

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PTO/SB/21 (04-07)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/668,617	<b>RECEIVED CENTRAL FAX CENTER SEP 26 2007</b>
	Filing Date	September 23, 2003	
	First Named Inventor	Alicia Marie Russell	
	Art Unit	2617	
	Examiner Name	SHEDRICK, Charles Terrell	
Total Number of Pages in This Submission	36	Attorney Docket Number	1033-SS00402

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks  Customer No.: 60533		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Toler Schaffer, LLP		
Signature	<i>Chad M. Herring</i>		
Printed name	Chad M. Herring		
Date	9-26-07	Reg. No.	41,067

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Signature	<i>Jeanneaux Jordan</i>		
Typed or printed name	Jeanneaux Jordan	Date	9-26-07

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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). <b>FEE TRANSMITTAL</b> <b>For FY 2007</b>		<b>Complete if Known</b> Application Number 10/668,617 Filing Date September 23, 2003 First Named Inventor Alicia Marie Russell Examiner Name SHEDRICK, Charles Terrell Art Unit 2617 Attorney Docket No. 1033-SS00402	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		RECEIVED CENTRAL FAX CENTER SEP 26 2007	
TOTAL AMOUNT OF PAYMENT (\$) 500			

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_  
☒ Deposit Account Deposit Account Number: 50-2469 Deposit Account Name: Toler Schaffer LLP  
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)  
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☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

## 2. EXCESS CLAIM FEES

## Fee Description

Each claim over 20 (including Reissues)

Small Entity Fee (\$)

Fee (\$)

Each independent claim over 3 (including Reissues)

Fee (\$)

Multiple dependent claims

Fee (\$)

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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- 20 or HP =	x	=	
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HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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- 3 or HP =	x	=	
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HP = highest number of independent claims paid for, if greater than 3.

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
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- 100 =	/ 50 =	(round up to a whole number) x	=	
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## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): Brief in Support of Appeal

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## SUBMITTED BY

Signature	<i>Chad M. Herring</i>	Registration No. (Attorney/Agent) 41,067	Telephone 512-327-5515
Name (Print/Type)	Chad M. Herring	Date	9-26-07

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**  
**For FY 2007**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 500**Complete if Known**

Application Number	10/668,617
Filing Date	September 23, 2003
First Named Inventor	Alicia Marie Russell
Examiner Name	SHEDRICK, Charles Terrell
Art Unit	2617
Attorney Docket No.	1033-SS00402

**METHOD OF PAYMENT** (check all that apply)
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 50-2469 Deposit Account Name: Toler Schaffer LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>
- 20 or HP = _____	x _____	= _____		<b>Fee (\$)</b>
HP = highest number of total claims paid for, if greater than 20.				<b>Fee Paid (\$)</b>

<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 3 or HP = _____	x _____	= _____	
HP = highest number of independent claims paid for, if greater than 3.			

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<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Brief in Support of Appeal

500

**SUBMITTED BY**

Signature	<i>Chad M. Herring</i>	Registration No. (Attorney/Agent) 41,067	Telephone 512-327-5515
Name (Print/Type)	Chad M. Herring	Date	9-26-07

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Alicia Marie Russell

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CENTRAL FAX CENTERTitle: METHOD AND SYSTEM FOR FORWARDING WIRELESS  
COMMUNICATIONS

SEP 26 2007

App. No.: 10/668,617

Filed: September 23, 2003

Examiner: Charles Terrell Shedrick

Group Art Unit: 2617

Atty. Dkt. No.: 1033-SS00402

Confirmation No.: 1505

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**BOARD OF PATENT APPEALS  
AND INTERFERENCES**  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450**BRIEF IN SUPPORT OF APPEAL**

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09/27/2007 PCHOMP 00000022 502469 10668617  
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**I. REAL PARTY IN INTEREST (37 C.F.R. § 41.37(c)(1)(i))**

The Real Party in Interest in the present Appeal is SBC Knowledge Ventures, L.P., the assignee, of patent application no. 10/668,617, as evidenced by the assignment set forth at Reel 014339, Frame 0683.

**II. RELATED APPEALS AND INTERFERENCES (37 C.F.R. § 41.37(c)(1)(ii))**

With respect to other appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in this appeal, Appellant is not aware of any such appeals or interferences.

**III. STATUS OF CLAIMS (37 C.F.R. § 41.37(c)(1)(iii))****A. Total Number of Claims in Application**

There are 35 claims pending in the application (claims 1, 3, 4, 7-13, 15, 18-27 and 32-45).

**B. Status of All the Claims**

Claims 1, 3, 13, 27, 32, and 36 are independent claims. According to pages 4-24 of the Final Office Action dated May 4, 2007, the Examiner states that claims 1, 3, 4, 7-13, 15, 18-27 and 32-45 stand rejected, and are hereby appealed.

**C. Claims on Appeal**

There are 35 claims on appeal (claims 1, 3, 4, 7-13, 15, 18-27 and 32-45).

**IV. STATUS OF AMENDMENTS (37 C.F.R. § 41.37(c)(1)(iv))**

The claims hereby appealed are based on the Amendment filed on February 19, 2007. No amendment was offered or entered after the Final Office Action.

**V. SUMMARY OF THE CLAIMED SUBJECT MATTER (37 C.F.R. § 41.37(c)(1)(v))**

The subject matter of claim 1 can be summarized as follows:

A system includes a wireless beacon to provide wireless data communication with a mobile telephone to detect a location of the mobile telephone within a wireless detection area provided by the wireless beacon and includes a communication interface. The communication interface selectively sends a call forwarding message to a cellular switch based on an evaluation of a value received from the wireless beacon. The call forwarding message provides an instruction to route future calls destined for the mobile telephone to an alternate network address. Selectively sending a call forwarding message based on an evaluation of a value received from the wireless beacon includes comparing the value received from the wireless beacon to a look up table accessible to the communication interface to determine whether the wireless beacon is recognized and to identify the alternate network address.

Claim 1 finds support from at least Figures 1-6 and page 2, paragraph 0006; page 4, paragraph 0016 through page 5, paragraph 0019; pages 5, paragraphs 0021 through page 7, paragraph 0024; page 7, paragraph 0026 through page 8, paragraph 0028; page 8, paragraphs 0030 and 0031; page 9, paragraphs 0032 and 0033; and page 9, paragraph 0035 through page 10, paragraph 0037.

The subject matter of claim 3 can be summarized as follows:

A method of selecting a destination telephone is provided that includes detecting a location of a mobile telephone within a wireless detection area provided by a wireless beacon and receiving an identification value from the wireless beacon. The method also includes determining whether the wireless beacon is a recognized beacon based on the identification value, and after determining that the wireless beacon is a recognized



wireless beacon, selecting a destination telephone from a look up table within the mobile phone based on the identification value received from the wireless beacon.

Claim 3 finds support from at least Figures 1-3 and 6 and page 2, paragraph 0007; page 4, paragraph 0016 through page 5, paragraph 0019; pages 5, paragraph 0021 through page 7, paragraph 0024; page 7, paragraph 0026 through page 8, paragraph 0028; and page 10, paragraphs 0036 and 0037.

The subject matter of claim 13 can be summarized as follows:

A method of routing call requests includes receiving at a wireless mobile communication device an identifier from a source over a first wireless connection. The method further includes determining whether the identifier comprises a recognized identifier based on a look up table accessible to the wireless mobile communication device. When the identifier comprises a recognized identifier, the method includes communicating to a wireless switch a request to forward voice communications to the wireless mobile communications device to an alternate communication device.

Claim 13 finds support from at least Figures 1, 3, 4 and 5 and page 2, paragraph 0008; page 4, paragraph 0016 through page 5, paragraph 0019; pages 5, paragraphs 0021 through page 7, paragraph 0024; page 7, paragraph 0026 through page 8, paragraph 0028; page 8, paragraphs 0030 and 0031; and page 9, paragraphs 0032 and 0033; and page 9, paragraph 0035 through page 10, paragraph 0037.

The subject matter of claim 27 can be summarized as follows:

A system includes a wireless communication device comprising a first receiver to facilitate two-way telephone conversations using a first wireless protocol, a second receiver to facilitate monitoring wireless information using a second wireless protocol, and a communications interface. The communications interface includes a first control module and a second control module. The first control module provides a request to forward communications to an alternate communication device when a recognized

transmitter identifier is received by the second receiver. The alternate communication device is proximal to a transmitter of the recognized transmitter identifier. A network address of the alternate communication device is determined based on the recognized transmitter identifier. The second control module provides a request to cease forwarding communications to the alternate communication device.

Claim 27 finds support from at least Figures 1-6 and page 3, paragraph 0009; and page 4, paragraph 0016 through page 10, paragraph 0038 of the specification.

The subject matter of claim 32 can be summarized as follows:

A system includes a wireless telephone and a wireless beacon device. The wireless telephone is configured to communicate using a wide area wireless protocol and configured to communicate using a proximal wireless protocol. The wireless telephone includes a call forward module and includes a cancel call forward module. The call forward module includes a table of alternate network addresses associated with recognized wireless beacon identifiers. The wireless beacon device is associated with an alternate network address and is configured to communicate with the wireless telephone using the proximal wireless protocol. The call forward module of the wireless telephone is configured to send a call forward message using the wide area wireless protocol when the wireless telephone receives a recognized wireless beacon identifier of the wireless beacon. The call forward message directs that calls addressed to the wireless telephone to be redirected to the alternate network address associated with the wireless beacon identifier.

Claim 32 finds support from at least Figures 1-6 and page 3, paragraph 0009; and page 4, paragraph 0016 through page 10, paragraph 0038 of the specification.

The subject matter of claim 36 can be summarized as follows:

A wireless beacon includes a transmitter that is configured to provide a wireless beacon coverage area. The wireless beacon also includes a wireless communication

interface that is configured to wirelessly transmit a unique identification of the wireless beacon to a wireless mobile device located within the wireless beacon coverage area. When the unique identification is an expected value, the wireless mobile device selects an alternate network destination address corresponding to the unique identification and forwards external communications to the alternate network destination address while the wireless mobile device is within the wireless beacon coverage area.

Claim 36 finds support from at least Figures 1-3, 5 and 6 and on at least page 2, paragraphs 0006 and 0007; page 4, paragraph 0018 through page 7, paragraph 0024; page 8, paragraphs 0028; page 9, paragraph 0032; and page 10, paragraph 0036 through 0038 of the specification.

**VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL (37 C.F.R. § 41.37(c)(1)(vi))**

A. Claim 36 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Publication No. 2003/0092451 ("Holloway") at page 4 of the Final Office Action.

B. Claims 1, 3-4, 7, 9-13, 15, 20-25, 39 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holloway in view of U.S. Patent No. 6,188,888 ("Bartle") at page 6 of the Final Office Action.

C. Claims 32-35 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holloway in view of Bartle, and further in view of U.S. Patent No. 4,768,224 ("Waldman") at page 12 of the Final Office Action.

D. Claims 8, 16, 18-19 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holloway in view of Bartle, and further in view of "well known prior art" at pages 16 of the Final Office Action.

E. Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Holloway in view of Bartle, and further in view of Waldman, and further in view of "well known prior art" at pages 19 of the Final Office Action.

F. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Holloway in view of Bartle, and further in view of U.S. Patent No. 6,856,806 ("Bosik") at pages 20 of the Final Office Action.

G. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Holloway in view of U.S. Patent Publication No. 2003/009451 ("Chow") at pages 21 of the Final Office Action.

H. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Holloway in view of Bartle, and further in view of U.S. Patent No. 6,609,006 ("Mori") at pages 22 of the Final Office Action.

I. Claims 41-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holloway in view of Bartle, and further in view of Waldman, and further in view of "Admitted Prior Art" at pages 23 of the Final Office Action.

J. Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Holloway in view of "Admitted Prior Art" at pages 24 of the Final Office Action.

## VII. ARGUMENT (37 C.F.R. § 41.37(c)(1)(vii))

Appellant respectfully appeals each of the rejections applied against all claims now pending on appeal. The claims do not stand or fall together, rather each of the claims stands or falls on its own.

### A. CLAIM 36 IS ALLOWABLE OVER HOLLOWAY

Appellant traverses the rejection of claim 36 under 35 U.S.C. §102(b) over U.S. Patent Publication No. 2003/0092451 ("Holloway") at page 4 of the Final Office Action.

Independent claim 36 recites a wireless communication interface configured to wirelessly transmit a unique identification of a wireless beacon to a wireless mobile device located within a wireless beacon coverage area, wherein, when the unique identification is an expected value, the wireless mobile device selects an alternate network destination address corresponding to the

unique identification and forwards external communications to the alternate network destination address while the wireless mobile device is within the wireless beacon coverage area.

Holloway does not disclose or suggest that when a unique identification is an expected value, a wireless mobile device selects an alternate network destination address corresponding to the unique identification and forwards external communications to the alternate network destination address, as recited in claim 36. The Final Office Action states that:

“Holloway et al. further discloses that when a transmitter is installed, it is programmed with the phone number of the preferred phone. This preferred phone number is then transmitted as part of its signal. Mobile phone 230 is equipped to receive signals in the frequency of the transmitter 220 and is programmed to recognize a signal that is meant for it. Holloway et al. also discloses in paragraph 0022 that a single transmitter can be programmed to recognize different mobile phones associated with it and to transfer each mobile phone to a different extension)(i.e., see paragraph 0017, 0019, 0021, 0022, and 0029).”

*Final Office Action*, p. 5 (emphasis in the original).

Appellant respectfully submits that Holloway discloses that when a mobile phone comes within the range of a transmitter, the mobile phone receives a transmitted signal. *Holloway*, p. 2, ¶ [0017]. The transmitted signal includes a phone number of a preferred phone associated with the transmitter. *Id.* Holloway also discloses that the phone and transmitter may exchange a “handshake” greeting, verifying that they are intended to work together. *Holloway*, p. 2, ¶ [0020]. The handshake greeting and the transmitted signal that includes the phone number are separate signals. That is, Holloway does not disclose or suggest that when a unique identification is an expected value, a wireless mobile device selects an alternate network destination address corresponding to the unique identification and forwards external communications to the alternate network destination address, as recited in claim 36. Rather, the mobile phone and transmitter of Holloway determine whether they are intended to work together based on exchanged handshake signals, and the mobile phone receives a telephone number associated with the transmitter via a value in another signal. The handshake signals and the

transmitted signal that includes the phone number are separate signals. That is, Holloway does not disclose or suggest determining whether the wireless beacon is recognized and identifying an alternate network address based on a value received from a wireless beacon, as recited in claim 36. Claim 36 recites using one unique identification for both determining whether the wireless beacon is recognized and to identify an alternate network address. Thus, Holloway fails to disclose at least one feature of claim 36.

The Final Office Action also states that Holloway discloses that "the ability to override the transfer of calls can be programmed into a button." *Final Office Action*, p. 5. The Final Office Action argues that "in this regard a selection is made regarding the forwarding." Appellant respectfully submits that selecting to override transfer of calls with a button is not the same as a wireless mobile device selecting an alternate network address when a unique identification is an expected value, as recited in claim 36. Furthermore, the mobile phone of Holloway does not select an alternate network address, as recited in claim 36. Rather, the phone number of the preferred phone is sent to the mobile phone from the transmitter. Thus, Holloway fails to disclose at least one additional feature of claim 36.

Thus, Holloway fails to disclose or suggest at least one element of independent claim 36. Therefore, the rejection of claim 36 should be withdrawn, and claim 36 should be allowed.

**B. CLAIMS 1, 3-4, 7, 9-13, 15, 20-25, 39 AND 45 ARE ALLOWABLE OVER HOLLOWAY IN VIEW OF BARTLE**

Appellant traverses the rejection of claims 1, 3-4, 7, 9-13, 15, 20-25, 39 and 45 under 35 U.S.C. §103(a) over U.S. Patent Publication No. 2003/0092451 ("Holloway") in view of U.S. Patent No. 6,188,888 ("Bartle") at page 6 of the Final Office Action.

The Office Action fails to establish a *prima facie* case of obviousness against claims 1, 3-4, 7, 9-13, 15, 20-25, 39 and 45 because the asserted combination of Holloway and Bartle does not disclose or suggest each and every feature of these claims, and because the asserted combination of Holloway and Bartle is improper since there is no motivation to make the asserted combination.

1. The asserted combination fails to disclose or suggest at least one feature of each of claims 1, 3-4, 7, 9-13, 15, 20-25, 39 and 45.

Claim 1 recites comparing a value received from a wireless beacon to a look up table accessible to a communication interface to determine whether a wireless beacon is recognized and to identify an alternate network address. The asserted combination of Holloway and Bartle does not disclose or suggest this feature of claim 1.

In contrast to claim 1, Holloway discloses that when a mobile phone comes within the range of a transmitter, the mobile phone receives a transmitted signal. *Holloway*, p. 2, ¶ [0017]. The transmitted signal includes a phone number of a preferred phone associated with the transmitter. *Id.* Holloway also discloses that the phone and transmitter may exchange a “handshake” greeting, verifying that they are intended to work together. *Holloway*, p. 2, ¶ [0020]. The handshake greeting and the transmitted signal that includes the phone number are separate signals. That is, Holloway does not disclose or suggest determining whether the wireless beacon is recognized and identifying an alternate network address based on a value received from a wireless beacon, as recited in claim 1. Rather, Holloway discloses determining whether the phone and the transmitter are intended to work together based on a first signal, and receiving a telephone number associated with the transmitter via a second signal. Claim 1 recites using one value for both determining whether the wireless beacon is recognized and to identify the alternate network address. The omission of an element and retention of its function is an indicia of unobviousness. *In re Edge*, 359 F.2d 896, 149 USPQ 556 (CCPA 1966).

Bartle also does not disclose or suggest this feature of claim 1. In contrast to claim 1, Bartle discloses a cellular telephone accessing a look up table, in response to a signal received from a charging unit, to retrieve a call forwarding number. *Bartle*, col. 7, lines 50-55. The signal received from the charging unit includes a binary value based on a switch position. *Bartle*, col. 7, lines 34-49. Bartle does not disclose determining whether a wireless beacon is recognized and identifying an alternate network address based on a value received from a wireless beacon, as recited in claim 1. The binary number of Bartle causes a compatible cellular telephone (that is, one equipped to read the additional pins in the charging unit) to select a value from the table whether the charging unit is recognized or not. For example, using the cellular

telephone and charging unit of Bartle, any charging unit whose switch position is set to 1 will cause calls to be forwarded to the telephone number associated with the number 1 position in the look up table of the cellular telephone. The charging unit itself need not be recognized. Further, the charging unit of Bartle is not wireless; rather, it depends on reading a number of special pins. Thus, the binary number of Bartle does not disclose or suggest determining whether the wireless beacon is recognized and identifying an alternate network address, as recited in claim 1.

Since the asserted combination of Holloway and Bartle fails to disclose or suggest at least one element of claim 1, claim 1 is allowable. Additionally, claim 39, which depends from claim 1, is allowable at least by virtue of its dependence from claim 1.

Claim 3 recites determining whether a wireless beacon is a recognized wireless beacon based on an identification value, and selecting a destination telephone from a look up table within a mobile phone based on the identification value received from the wireless beacon. Neither Holloway nor Bartle disclose or suggest this feature of claim 3.

As previously discussed, Holloway discloses that when a mobile phone comes within the range of a transmitter, the mobile phone receives a transmitted signal. *Holloway*, p. 2, ¶ [0017]. The transmitted signal includes a phone number of a preferred phone associated with the transmitter. *Id.* Holloway also discloses that the phone and transmitter may exchange a "handshake" greeting, verifying that they are intended to work together. *Holloway*, p. 2, ¶ [0020]. The handshake greeting and the transmitted signal that includes the phone number are separate signals. That is, Holloway does not disclose or suggest determining whether a wireless beacon is a recognized wireless beacon based on an identification value, and selecting a destination telephone from a look up table within a mobile phone based on the identification value received from the wireless beacon, as recited in claim 3. Holloway discloses determining whether the phone and the transmitter are intended to work together, and receiving a telephone number associated with the transmitter via multiple separate signals.

Bartle discloses a cellular telephone accessing a look up table, in response to a signal received from a charging unit, to retrieve a call forwarding number. *Bartle*, col. 7, lines 50-55. The signal received from the charging unit includes a binary value based on the switch position.



*Bartle*, col. 7, lines 34-49. *Bartle* does not disclose determining whether a wireless beacon is a recognized wireless beacon based on an identification value, and selecting a destination telephone from a look up table within a mobile phone based on the identification value received from the wireless beacon, as recited in claim 3. Rather, the binary number of *Bartle* causes a compatible cellular telephone to select a value from the table, whether the charging unit is recognized or not. For example, a compatible telephone placed in any charging unit whose switch position is set to 1 will forward calls to the telephone number associated with the number 1 position in the look up table of the cellular telephone. The charging unit itself need not be recognized. Further, the charging unit of *Bartle* is not wireless; rather, it depends on reading a number of special pins. Thus, *Bartle* does not disclose or suggest determining whether the wireless beacon is a recognized wireless beacon, as recited in claim 3.

Since the asserted combination of *Holloway* and *Bartle* does not disclose or suggest at least one feature of claim 3, claim 3 is allowable. Additionally, claims 4, 7 and 9-12, which depend from claim 3, are allowable at least by virtue of their dependence from claim 3.

Claim 13 recites determining whether the identifier comprises a recognized identifier based on a look up table accessible to the wireless mobile communication device. Neither *Holloway* nor *Bartle* disclose or suggest determining whether an identifier comprises a recognized identifier based on a look up table.

*Holloway* discloses a mobile phone programmed to recognize a signal "meant for it." *Holloway*, p. 2, ¶ [0017]. However, *Holloway* does not disclose or suggest that the mobile phone determines whether an identifier comprises a recognized identifier based on a look up table, as recited in claim 13. Recognizing a signal "meant for" the mobile phone relates to recognizing the addressing of the signal; that is, determining what device the signal is being sent to. Conversely, determining whether the identifier is recognized is related to the transmitter, the device the signal is sent from.

*Bartle* discloses retrieving a call forwarding number from a look up table. *Bartle*, col. 7, lines 50-55. However, as discussed in reference to claims 1 and 3, *Bartle* does not disclose or suggest determining whether an identifier is a recognized identifier. Thus, *Bartle* does not

disclose or suggest that the mobile phone determines whether an identifier comprises a recognized identifier based on a look up table, as recited in claim 13.

Since the asserted combination of Holloway and Bartle does not disclose or suggest at least one feature of claim 13, claim 13 is allowable. Additionally, claims 15 and 20-25, which depend from claim 13, are allowable at least by virtue of their dependence from claim 13.

Claim 45 depends from claim 36. As previously discussed, Holloway does not disclose each and every feature of claim 36. For example, Holloway does not disclose or suggest that when a unique identification is an expected value, a wireless mobile device selects an alternate network destination address corresponding to the unique identification and forwards external communications to the alternate network destination address.

Bartle also does not disclose or suggest this feature. Rather, Bartle discloses a cellular telephone accessing a look up table, in response to a signal received from a charging unit, to retrieve a call forwarding number. *Bartle*, col. 7, lines 50-55. The signal received from the charging unit includes a binary value based on a switch position. *Bartle*, col. 7, lines 34-49. Bartle does not disclose that the binary value is a unique identification. In contrast, the binary value is associated with a switch position; thus, any number of charging units set to the same switch position would have the same binary value. Thus, the binary number of Bartle does not disclose or suggest a unique identification that when it is an expected value causes a wireless mobile device to select an alternate network destination address corresponding to the unique identification.

Since the asserted combination of Holloway and Bartle fails to disclose or suggest at least one feature of claim 36, from which claim 45 depends, claim 45 is allowable at least by virtue of its dependence from claim 36.

2. The asserted combination of Holloway and Bartle is improper

Even if the asserted combination of Holloway and Bartle disclosed or suggested each and every feature of the claims, the combination would be improper, because the references teach

away from their combination. *In re Grasselli*, 713 F.2d 731, 743, 218 USPQ 769, 779 (Fed. Cir. 1983).

Bartle discloses a cellular telephone accessing a look up table, in response to a signal received from a charging unit, to retrieve a call forwarding number. *Bartle*, col. 7, lines 50-55. The charging unit of Bartle is disclosed to be a docking station style charging unit. *Bartle*, FIG. 3. Holloway teaches away from the use of such devices in conjunction with call forwarding of cellular telephones, stating that "the user may forget to use the docking mechanism in his car until a call is received or may leave the phone in the docking mechanism when they exit the vehicle." *Holloway*, p. 1, ¶ [0005]. Therefore, there is no motivation to combine Holloway with Bartle at least because Holloway teaches away from the combination.

Additionally, Holloway discloses that when a mobile phone comes within the range of a transmitter, the mobile phone receives a transmitted signal. *Holloway*, p. 2, ¶ [0017]. Bartle teaches away from the use of such systems stating:

Special hardware...may detect the presence of the mobile unit when within range of the special hardware (i.e. the mobile unit is at work or at home). The special hardware then notifies the wireless telephone system to forward all calls to the preprogrammed land line telephone at that location. Unfortunately, this solution requires a large investment by the user in the special hardware, as well as system infrastructure modifications, and works only if the mobile unit is within range of the special hardware.

*Bartle*, col. 1, lines 39-50.

Therefore, there is no motivation to combine Holloway with Bartle, because Bartle also teaches away from the combination.

Since the asserted combination fails to disclose or suggest at least one element of each of independent claims 1, 3, 13 and 36, the combination also fails to disclose or suggest at least one element of each of claims 4, 7, 9-12, 15, 20-25, 39 and 45, at least by virtue of their dependence

from claims 1, 3, 13 and 36. Additionally, the asserted combination of references is improper since both Holloway and Bartle teach away from the combination. Hence, the rejections of claims 1, 3-4, 7, 9-13, 15, 20-25, 39 and 45 should be withdrawn, and claims 1, 3-4, 7, 9-13, 15, 20-25, 39 and 45 should be allowed.

**C. CLAIMS 32-35 AND 43 ARE ALLOWABLE OVER HOLLOWAY IN VIEW OF BARTLE AND WALDMAN**

Appellant traverses the rejection of claims 32-35 and 43 under 35 U.S.C. §103(a) over U.S. Patent Publication No. 2003/0092451 ("Holloway") in view of U.S. Patent No. 6,188,888 ("Bartle") and further in view of U.S. Patent No. 4,768,224 ("Waldman") at page 12 of the Final Office Action.

Claim 32 recites a call forward module including a table of alternate network addresses associated with recognized wireless beacon identifiers. None of the asserted references, alone or in combination, disclose or suggest this feature of claim 32.

The Final Office Action admits that Holloway does not teach a table of alternate network addresses associated with recognized identifiers. However, the Final Office Action states that "In an analogous art, Bartle teaches a table of alternate network addresses associated with recognized identifiers (i.e., binary logic signals) (i.e., see at least col. 7 lines 50-61)." *Final Office Action*, p. 14. Appellant respectfully disagrees.

Bartle discloses a cellular telephone accessing a look up table, in response to a signal received from a charging unit, to retrieve a call forwarding number. *Bartle*, col. 7, lines 50-55. The signal received from the charging unit includes a binary value based on the switch position. *Bartle*, col. 7, lines 34-49. Bartle does not disclose or suggest a call forward module including a table of alternate network addresses associated with recognized wireless beacon identifiers, as recited in claim 32. The look up table of Bartle is not a table of alternate network addresses associated with recognized wireless beacon identifiers, because the charging unit is not a wireless beacon. Furthermore, the binary number received from the charging unit does not identify the charging unit (and thus is not a beacon identifier). For example, a compatible telephone placed in any charging unit whose switch position is set to 1 will forward calls to the

telephone number associated with the number 1 position in the look up table of the cellular telephone. Thus, the number passed to the mobile phone is not an identifier of the charging unit. Additionally, the charging unit is not a wireless beacon, but rather relies on special pins to convey the binary value.

Like Holloway and Bartle, Waldman does not disclose or suggest a call forward module including a table of alternate network addresses associated with recognized wireless beacon identifiers, as recited in claim 32.

Since the asserted combination fails to disclose or suggest at least one element of claim 32, claim 32 is allowable. Claim 32 is also allowable because any combination including Holloway and Bartle is improper since Holloway and Bartle teach away from the combination. Claims 33-35 and 43, which depend from claim 32, are also allowable at least by virtue of their dependence from claim 32. Hence, the rejections of claims 32 -35 and 43 should be withdrawn, and claims 32-35 and 43 should be allowed.

**D. CLAIMS 8, 18-19 AND 38 ARE ALLOWABLE OVER HOLLOWAY IN VIEW OF BARTLE AND "WELL KNOWN PRIOR ART"**

Appellant traverses the rejection of claims 8, 18-19 and 38 under 35 U.S.C. §103(a) over U.S. Patent Publication No. 2003/0092451 ("Holloway") in view of U.S. Patent No. 6,188,888 ("Bartle") and further in view of "well known prior art" at page 16 of the Final Office Action. Claim 16 was canceled in an amendment filed February 19, 2007; therefore, the rejection of claim 16 is moot.

Claim 8 depends from independent claim 3. Claims 18 and 19 depend from independent claim 13. Claim 38 depends from independent claim 1. The Final Office Action relies on the combination of Holloway and Bartle to disclose or suggest each feature of independent claims 1, 3, and 13. *Final Office Action*, p. 16-19.

As discussed above, the combination of Holloway and Bartle is improper and does not disclose or suggest each element of claims 1, 3, and 13. For example, the combination of Holloway and Bartle does not disclose or suggest comparing a value received from a wireless

beacon to a look up table accessible to a communication interface to determine whether the wireless beacon is recognized and to identify an alternate network address, as recited in claim 1. The combination of Holloway and Bartle does not disclose or suggest determining whether a wireless beacon is a recognized wireless beacon based on an identification value, and selecting a destination telephone from a look up table within a mobile phone based on the identification value received from the wireless beacon, as recited in claim 3. The combination of Holloway and Bartle does not disclose or suggest determining whether an identifier comprises a recognized identifier based on a look up table accessible to a wireless mobile communication device, as recited in claim 13. The asserted "well known prior art" also does not disclose or suggest these elements of independent claims 1, 3 and 13.

Since the asserted combination fails to disclose or suggest at least one element of each of independent claims 1, 3 and 13, the combination also fails to disclose or suggest at least one element of each of claims 8, 18-19 and 38, at least by virtue of their dependence from claims 1, 3 and 13. Additionally, the asserted combination of references is improper since Holloway and Bartle teach away from the combination. Hence, the rejections of claims 8, 18-19 and 38 should be withdrawn, and claims 8, 18-19 and 38 should be allowed.

**E. CLAIM 40 IS ALLOWABLE OVER HOLLOWAY IN VIEW OF BARTLE, WALDMAN AND "WELL KNOWN PRIOR ART"**

Appellant traverses the rejection of claim 40 under 35 U.S.C. §103(a) over U.S. Patent Publication No. 2003/0092451 ("Holloway") in view of U.S. Patent No. 6,188,888 ("Bartle") further in view of U.S. Patent No. 4,768,224 ("Waldman") and further in view of "well known prior art" at page 19 of the Final Office Action.

Claim 40 depends from independent claim 32. The Final Office Action relies on the combination of Holloway, Bartle and Waldman to disclose or suggest each element of independent claim 32. *Final Office Action*, p. 19. As discussed above, the combination of Holloway, Bartle and Waldman is improper and does not disclose or suggest each feature of claim 32. For example, that combination of Holloway, Bartle and Waldman does not disclose or suggest a call forward module including a table of alternate network addresses associated with

recognized wireless beacon identifiers, as recited in claim 32. The asserted "well known prior art" also does not disclose or suggest this element.

Since the asserted combination of references fails to disclose or suggest at least one element of independent claim 32, the combination also fails to disclose or suggest at least one element claim 40. Additionally, the asserted combination of references is improper since Holloway and Bartle teach away from the combination. Hence, the rejection of claim 40 should be withdrawn, and claim 40 should be allowed.

**F. CLAIM 26 IS ALLOWABLE OVER HOLLOWAY IN VIEW OF BARTLE AND BOSIK**

Appellant traverses the rejection of claim 26 under 35 U.S.C. §103(a) over U.S. Patent Publication No. 2003/0092451 ("Holloway") in view of U.S. Patent No. 6,188,888 ("Bartle"), and further in view of U.S. Patent No. 6,856,806 ("Bosik") at page 20 of the Final Office Action.

Claim 26 depends from independent claim 13. The Final Office Action relies on the combination of Holloway and Bartle to disclose or suggest each feature of independent claim 13. *See Final Office Action*, pp. 11, 12 and 20. As discussed above, the combination of Holloway and Bartle is improper and does not disclose or suggest each element of claim 13. For example, the combination of Holloway and Bartle does not disclose or suggest determining whether an identifier comprises a recognized identifier based on a look up table accessible to a wireless mobile communication device, as recited in claim 13. Bosik also does not disclose or suggest this feature.

Since the asserted combination fails to disclose or suggest at least one element of independent claim 13, the combination also fails to disclose or suggest at least one element claim 26. Additionally, the asserted combination of references is improper since Holloway and Bartle teach away from the combination. Hence, the rejection of claim 26 should be withdrawn, and claim 26 should be allowed.

**G. CLAIM 37 IS ALLOWABLE OVER HOLLOWAY IN VIEW OF CHOW**

Appellant traverses the rejection of claim 37 under 35 U.S.C. §103(a) over U.S. Patent Publication No. 2003/0092451 ("Holloway") in view of U.S. Patent Publication No. 2003/009451 ("Chow") at page 21 of the Final Office Action.

Claim 37 depends from independent claim 36. The Final Office Action relies on Holloway to disclose or suggest each feature of independent claim 36: *Final Office Action*, p. 21. As discussed above, Holloway does not disclose or suggest each and every element of claim 36. For example, Holloway does not disclose or suggest a wireless communication interface configured to wirelessly transmit a unique identification of a wireless beacon to a wireless mobile device located within a wireless beacon coverage area, wherein, when the unique identification is an expected value, the wireless mobile device selects an alternate network destination address corresponding to the unique identification and forwards external communications to the alternate network destination address while the wireless mobile device is within a wireless beacon coverage area, as recited in claim 36. Chow also does not disclose or suggest this element.

Since the asserted combination fails to disclose or suggest at least one element of independent claim 36, the combination also fails to disclose or suggest at least one element claim 37. Hence, the rejection of claim 37 should be withdrawn, and claim 37 should be allowed.

**H. CLAIM 27 IS ALLOWABLE OVER HOLLOWAY IN VIEW OF BARTLE AND MORI**

Appellant traverses the rejection of claim 27 under U.S. Patent Publication No. 2003/0092451 ("Holloway") in view of U.S. Patent No. 6,188,888 ("Bartle"), further in view of U.S. Patent No. 6,609,006 ("Mori") at page 22 of the Final Office Action.

Claim 27 recites a first control module to provide a request to forward communications to an alternate communication device when a recognized transmitter identifier is received by the second receiver, where the alternate communication device is proximal to a transmitter of the recognized transmitter identifier, and where a network address of the alternate communication



device is determined based on the recognized transmitter identifier. The asserted combination of Holloway, Bartle and Mori does not disclose or suggest this feature of claim 27.

Holloway discloses that when a mobile phone comes within the range of a transmitter, the mobile phone receives a transmitted signal. *Holloway*, p. 2, ¶ [0017]. The transmitted signal includes a phone number of a preferred phone associated with the transmitter. *Id.* Holloway also discloses that the phone and transmitter may exchange a “handshake” greeting, verifying that they are intended to work together. *Holloway*, p. 2, ¶ [0020]. The handshake greeting and the transmitted signal that includes the phone number are separate signals. That is, Holloway does not disclose or suggest providing a request to forward communications to an alternate communication device when a recognized transmitter identifier is received wherein a network address of the alternate communication device is determined based on the recognized transmitter identifier, as recited in claim 27. Rather, Holloway discloses determining whether the phone and the transmitter are intended to work together based on a first signal, and receiving a telephone number associated with the transmitter via a second signal.

Bartle discloses a cellular telephone accessing a look up table, in response to a signal received from a charging unit, to retrieve a call forwarding number. *Bartle*, col. 7, lines 50-55. The signal received from the charging unit includes a binary value based on the switch position. *Bartle*, col. 7, lines 34-49. Bartle does not disclose providing a request to forward communications to an alternate communication device when a recognized transmitter identifier is received wherein a network address of the alternate communication device is determined based on the recognized transmitter identifier, as recited in claim 27. As previously discussed, the binary number of Bartle causes a compatible cellular telephone to select a value from a table whether the charging unit is recognized or not. Thus, the binary number of Bartle does not disclose or suggest determining whether a wireless beacon is recognized and identifying an alternate network address, as recited in claim 27.

Mori also does not disclose or suggest this feature of claim 27.

Since the asserted combination of Holloway, Bartle and Mori fails to disclose or suggest at least one element of claim 27, claim 27 is allowable. Further, as explained previously, any

combination including Holloway and Bartle is improper since each of these references teach away from the combination. For this additional reason, claim 27 is allowable. Hence, the rejection of claim 27 should be withdrawn, and claim 27 should be allowed.

**I. CLAIMS 41-42 ARE ALLOWABLE OVER HOLLOWAY IN VIEW OF BARTLE, WALDMAN AND "ADMITTED PRIOR ART"**

Appellant traverses the rejection of claims 41-42 under §103(a) over U.S. Patent Publication No. 2003/0092451 ("Holloway") in view of U.S. Patent No. 6,188,888 ("Bartle"), further in view of U.S. Patent No. 4,768,224 ("Waldman"), and further in view of "Admitted Prior Art" at page 23 of the Final Office Action.

Claims 41 and 42 depend from independent claim 32. As discussed previously, the combination of Holloway, Bartle and Waldman is improper and does not disclose or suggest each and every feature of claim 32. For example, the combination of Holloway, Bartle and Waldman does not disclose or suggest a call forward module including a table of alternate network addresses associated with recognized wireless beacon identifiers, as recited in claim 32. The alleged admitted prior art also does not disclose or suggest this feature.

Since the asserted combination fails to disclose or suggest at least one element of independent claim 32, the combination also fails to disclose or suggest at least one element claims 41 and 42. Claims 41 and 42 are therefore allowable.

Further, claim 41 recites that the first wireless beacon identifier comprises a user selected identifier. Applicant respectfully submits that the "admitted prior art" does not disclose or suggest a first wireless beacon identifier comprising a user selected identifier, as asserted by the Final Office Action. *Final Office Action*, p. 23. The "admitted prior art" cited by the Final Office Action is the statement in paragraph [0026] of the Application, which states that, "Various methods exist for provisioning the beacon identifier and public key within the mobile device. One approach would be to run a short activation procedure between the beacon and the mobile phone using the first communication protocol." An automated activation procedure run to provision a beacon identifier and public key to a mobile phone does not disclose or suggest a

user selecting a wireless beacon identifier. Claim 41 is therefore allowable for this additional reason.

Further, claim 42 recites the first wireless beacon is further configured to request a recognized user password before sending the first wireless beacon identifier. Applicant respectfully submits that the admitted prior art does not disclose or suggest that a first wireless beacon is further configured to request a recognized user password before sending the first wireless beacon identifier as asserted by the Final Office Action. *Final Office Action*, p. 24. The "admitted prior art" cited by the Final Office Action is the statement in paragraph [0026] of the Application, which states that, "Various methods exist for provisioning the beacon identifier and public key within the mobile device. One approach would be to run a short activation procedure between the beacon and the mobile phone using the first communication protocol." An automated activation procedure run to provision a beacon identifier and public key to a mobile phone does not disclose or suggest a first wireless beacon being configured to request a recognized user password before sending a first wireless beacon identifier, as recited in claim 42. Claim 42 is therefore allowable for this additional reason.

**J. CLAIM 44 IS ALLOWABLE OVER HOLLOWAY IN VIEW OF  
"ADMITTED PRIOR ART"**

Appellant traverses the rejection of claim 44 under §103(a) over U.S. Patent Publication No. 2003/0092451 ("Holloway") in view of "Admitted Prior Art" at page 24 of the Final Office Action.

Claim 44 depends from independent claim 36. The Final Office Action relies on Holloway to disclose or suggest each feature of independent claim 36. *Final Office Action*, p. 24. As discussed above, Holloway does not disclose or suggest each feature of claim 36. For example, Holloway does not disclose or suggest a wireless communication interface configured to wirelessly transmit a unique identification of a wireless beacon to a wireless mobile device located within a wireless beacon coverage area, wherein, when the unique identification is an expected value, the wireless mobile device selects an alternate network destination address corresponding to the unique identification and forwards external communications to the alternate network destination address while the wireless mobile device is within the wireless beacon

coverage area, as recited in claim 36. The alleged admitted prior art also does not disclose or suggest this feature. Since the asserted combination fails to disclose or suggest at least one element of independent claim 36, the combination also fails to disclose or suggest at least one element claim 44. Claim 44 is therefore allowable at least by virtue of its dependence from claim 36.

Further, Appellant respectfully submits that the "admitted prior art" does not disclose or suggest a first wireless identifier comprising a user selected identifier as asserted by the Final Office Action. *Final Office Action*, p. 24. Claim 44 recites wherein a unique identification comprises a user selected identification. The "admitted prior art" cited by the Final Office Action is the statement in paragraph [0026] of the Application, which states that, "Various methods exist for provisioning the beacon identifier and public key within the mobile device. One approach would be to run a short activation procedure between the beacon and the mobile phone using the first communication protocol." An automated activation procedure run to provision a beacon identifier and public key to a mobile phone does not disclose or suggest a user selecting an identifier, as recited in claim 44. Claim 44 is therefore allowable for this additional reason.

Appellant has pointed out specific features of the claims not disclosed, suggested or rendered obvious by the references applied in the Final Office Action. Accordingly, Appellant respectfully requests reconsideration and withdrawal of each of the rejections, as well as an indication of allowability of each of the claims now pending.

**VIII. CLAIMS APPENDIX (37 C.F.R. § 41.37(c)(1)(viii))**

The text of each claim involved in the appeal is as follows:

1. (Previously Presented) A system comprising:

a wireless beacon to provide wireless data communication with a mobile telephone to detect a location of the mobile telephone within a wireless detection area provided by the wireless beacon; and  
a communication interface to selectively send a call forwarding message to a cellular switch based on an evaluation of a value received from the wireless beacon, the call forwarding message to provide an instruction to route future calls destined for the mobile telephone to an alternate network address;  
wherein selectively sending a call forwarding message based on an evaluation of a value received from the wireless beacon comprises comparing the value received from the wireless beacon to a look up table accessible to the communication interface to determine whether the wireless beacon is recognized and to identify the alternate network address.

2. (Canceled)

3. (Previously Presented) A method of selecting a destination telephone, the method comprising:

detecting a location of a mobile telephone within a wireless detection area provided by a wireless beacon;  
receiving an identification value from the wireless beacon;  
determining whether the wireless beacon is a recognized wireless beacon based on the identification value; and  
after determining that the wireless beacon is a recognized wireless beacon, selecting a destination telephone from a look up table within the mobile phone based on the identification value received from the wireless beacon.

4. (Previously Presented) The method of claim 3, wherein the destination telephone is associated with a landline telephone number.

5 - 6. (Canceled)

7. (Original) The method of claim 3, wherein detecting the location of the mobile telephone is based upon communication using a wireless data protocol.

8. (Original) The method of claim 7, wherein the wireless data protocol is compliant with the IEEE 802.11 standard.

9. (Original) The method of claim 7, wherein the wireless data protocol is compliant with the Bluetooth standard.

10. (Previously Presented) The method of claim 3, further comprising sending a call forwarding message to a wide area switch having a communication path targeted to the mobile telephone, the call forwarding message providing an instruction to route future calls destined for the mobile telephone to the destination telephone, wherein the call forwarding message is communicated to the wide area switch using a wireless data message protocol.

11. (Original) The method of claim 10 wherein the wireless data message protocol is the short message services protocol.

12. (Original) The method of claim 10, wherein the wireless data message is sent on a packet channel utilizing a protocol selected from the group consisting of GSM, General Packet Radio Service (GPRS), Universal Mobile Telecommunications System (UMTS), and CDMA.

13. (Previously Presented) A method of routing call requests, the method comprising: receiving at a wireless mobile communication device an identifier from a source over a first wireless connection; determining whether the identifier comprises a recognized identifier based on a look up table accessible to the wireless mobile communication device; and communicating to a wireless switch, when the identifier comprises a recognized identifier, a request to forward voice communications to the wireless mobile communications device to an alternate communication device.
14. (Canceled)
15. (Original) The method of claim 13, wherein the wireless mobile communication device is a cellular phone and wherein the request to forward voice communications is issued automatically.
- 16 - 17. (Canceled)
18. (Original) The method of claim 13, wherein the wireless mobile communication device includes a transmitter that utilizes a universal mobile telecommunications system.
19. (Original) The method of claim 13, wherein the wireless mobile communication device utilizes General Packet Radio Service.
20. (Original) The method of claim 13, wherein the wireless mobile communication device receives the identifier using a Bluetooth receiver.
21. (Original) The method of claim 13, wherein the source is proximal to the wireless mobile communication device.
22. (Previously Presented) The method of claim 13, further comprising determining to withdraw the request to forward voice communication.

23. (Original) The method of claim 22, wherein the request is withdrawn when the wireless mobile communication device no longer receives the identifier.
24. (Original) The method of claim 22, wherein the request is withdrawn in response to a user action.
25. (Original) The method of claim 24, wherein the user action is a key sequence.
26. (Original) The method of claim 24, wherein the user action is a voice request.
27. (Previously Presented) A system comprising:  
a wireless communication device comprising a first receiver to facilitate two-way telephone conversations using a first wireless protocol, a second receiver to facilitate monitoring wireless information using a second wireless protocol, and a communications interface comprising:  
a first control module to provide a request to forward communications to an alternate communication device when a recognized transmitter identifier is received by the second receiver, wherein the alternate communication device is proximal to a transmitter of the recognized transmitter identifier, and wherein a network address of the alternate communication device is determined based on the recognized transmitter identifier; and  
a second control module to provide a request to cease forwarding communications to the alternate communication device.

28 - 31. (Canceled)



32. (Previously Presented) A system comprising:

a first wireless telephone configured to communicate using a wide area wireless protocol and configured to communicate using a proximal wireless protocol, the first wireless telephone including a call forward module and including a cancel call forward module, the call forward module including a table of alternate network addresses associated with recognized wireless beacon identifiers; and  
a first wireless beacon device associated with a first alternate network address and configured to communicate with the first wireless telephone using the proximal wireless protocol, the call forward module of the first wireless telephone configured to send a first call forward message using the wide area wireless protocol when the first wireless telephone receives a recognized first wireless beacon identifier of the first wireless beacon, the first call forward message directing that calls addressed to the first wireless telephone be redirected to the first alternate network address associated with the first wireless beacon identifier.

33. (Previously Presented) The system of claim 32, wherein the cancel call forward module is configured to send a cancel call forward message using the wide area wireless protocol after detecting that the wireless telephone has moved out of range of the wireless beacon.

34. (Previously Presented) The system of claim 32, further comprising a second wireless telephone, the second wireless telephone configured to communicate using the wide area wireless protocol and the proximal wireless protocol, the second wireless telephone including a table of alternate network addresses associated with recognized wireless beacon identifiers, the second wireless telephone configured to send a second call forward message after receiving the recognized first wireless beacon identifier.

35. (Previously Presented) The system of claim 32, further comprising a second wireless beacon having a second wireless beacon identifier associated with a second alternate network address, the second wireless beacon configured to communicate with the first wireless telephone using the proximal wireless protocol, the call forward module of the first wireless telephone configured to send a second call forward message using the wide area wireless protocol when the first wireless telephone receives the second wireless beacon identifier, the second call forward message directing that calls addressed to the first wireless telephone be directed to the second alternate network address.

36. (Previously Presented) A wireless beacon comprising:  
a transmitter configured to provide a wireless beacon coverage area; and  
a wireless communication interface configured to wirelessly transmit a unique identification of the wireless beacon to a wireless mobile device located within the wireless beacon coverage area, wherein, when the unique identification is an expected value, the wireless mobile device selects an alternate network destination address corresponding to the unique identification and forwards external communications to the alternate network destination address while the wireless mobile device is within the wireless beacon coverage area.

37. (Original) The wireless beacon of claim 36, wherein the unique identification is represented by a color code.

38. (Previously Presented) The system of claim 1, wherein the mobile telephone comprises a multi-mode phone capable of communicating via a wireline network and the alternate network address is a network address of the mobile telephone on the wireline network.

39. (Previously Presented) The system of claim 1, further comprising a device associated with the alternate network address capable of receiving forwarded calls and capable of providing a distinctive notification of receipt of a forwarded call.

40. (Previously Presented) The system of claim 32, wherein the first wireless telephone is a multi-mode telephone capable of communicating via a wireline network and the first alternate network address is a network address of the first wireless telephone on the wireline network.

41. (Previously Presented) The system of claim 32, wherein the first wireless beacon identifier comprises a user selected identifier.

42. (Previously Presented) The system of claim 32, wherein the first wireless beacon is further configured to request a recognized user password before sending the first wireless beacon identifier.

43. (Previously Presented) The system of claim 34, further comprising a device associated with the first alternate network address capable of receiving forwarded calls and capable of providing a first distinctive notification of receipt of a first call redirected from the first wireless telephone and a second distinctive notification of receipt of a second call redirected from the second wireless telephone.

44. (Previously Presented) The wireless beacon of claim 36, wherein the unique identification comprises a user selected identification.

45. (Previously Presented) The wireless beacon of claim 36, wherein the wireless mobile device comprises a look up table of recognized unique identifiers associated with alternate network addresses.

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**IX. EVIDENCE APPENDIX (37 C.F.R. § 41.37(c)(1)(ix))**

(N/A)

**X. RELATED PROCEEDINGS APPENDIX (37 C.F.R. § 41.37(c)(1)(x))**

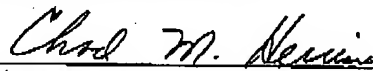
(N/A)

**XI. CONCLUSION**

For at least the above reasons, all pending claims are allowable and a notice of allowance is courteously solicited. Please direct any questions or comments to the undersigned attorney at the address indicated. Appellant respectfully requests reconsideration and allowance of all claims and that this patent application be passed to issue.

9-26-07  
Date

Respectfully submitted,



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